

MAY. 2. 2006.10:23AM

INVISTA

RECEIVED
CENTRAL FAX CENTER

NO. 652 P. 5

MAY 02 2006

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Number : 10/659,644 Confirmation No.: 3665
Applicant : Ronald Lee Amey
Filed : September 10, 2003
Title : Melt-Sprayed Curing Agent Powder and Powder Coating
Compositions Made Therefrom
TC/Art Unit : 1713
Examiner: : William K. Cheung

Docket No. : PI1220USDIV
Customer No. : 43693

MAIL STOP PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO WITHDRAW HOLDING OF ABANDONMENT
UNDER 37 C.F.R. § 1.181 BASED ON
FAILURE TO RECEIVE NOTICE OF ALLOWANCE

Sir:

Applicant hereby submits this Petition to Withdraw Holding of Abandonment under 37 C.F.R. § 1.181 based on failure to receive Notice of Allowance, and respectfully requests that the holding of abandonment of the application be withdrawn based on the facts set forth herein.

BACKGROUND

Applicants filed this application on September 10, 2003. On April 15, 2004, a Notice of Allowance was mailed, giving Applicant until July 15, 2004 to pay the Issue Fee and Publication Fees of \$1630.00. On August 17, 2004, a Notice of Abandonment of the Application was mailed due to failure to timely pay the Issue Fee and Publication Fee.

Undersigned counsel attests to the fact that a search of the file jacket and the docket records indicates that the Notice of Allowance was never received. A copy of the docket record where the nonreceived Notice of Allowance would have been entered and docketed is attached.

Appln. No. 10/659,644

Petition dated October 25, 2004

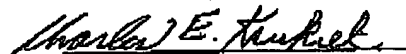
Reply to Notice of Abandonment mailed on August 17, 2004

CONCLUSION

Based on this evidence, Applicant respectfully requests the Notice of Abandonment should be withdrawn and that the Application should be reinstated. Applicant contemporaneously submits the Issue Fee and Publication Fee of \$1630.00, and authorizes the Commissioner to deduct this amount from the undersigned's credit card (PTO-2038 attached). It is believed that no fees are due upon filing this Petition. If additional fees are determined to be due, Applicant authorizes the Commissioner to deduct those fees from the undersigned's credit card (PTO-2038 attached).

Date: October 28, 2004

Respectfully submitted,



INVISTA NORTH AMERICA S.À R.L.
4417 Lancaster Pike
Legal - Bldg. 722/WR1032
Wilmington, Delaware 19850
Tel: (302) 999-3708
Fax: (302) 999-3881

Charles E. Krukiel
Registration No. 27,344